

RESPONSE UNDER 37 C.F.R. § 1.116
Application No.: 10/540,926

Attorney Docket No.: Q88442

REMARKS

Claims 1-18 are pending.

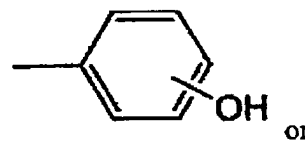
In Paragraph No. 7 of the Action, claims 1-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugiyama et al, US Patent No. 6,166,125 in combination with Dexter et al, US Patent No. 3,156,689.


Applicants submit that this rejection should be withdrawn because Sugiyama and Dexter do not disclose or render obvious the optical material of the present invention.

As an initial matter, none of the compounds disclosed in Dexter fall within the scope of formula (1a), (2a), (3a), (2b), or (3b) of the present invention.

In formula (1a) of the present invention, all of the three substituents, R^{1a} , R^{2a} and R^{3a} , always denote a non-substituted alkyl group or a halogenated alkyl group. In contrast, in the

formulae of Dexter, R_3 always denotes hydroxyphenyl



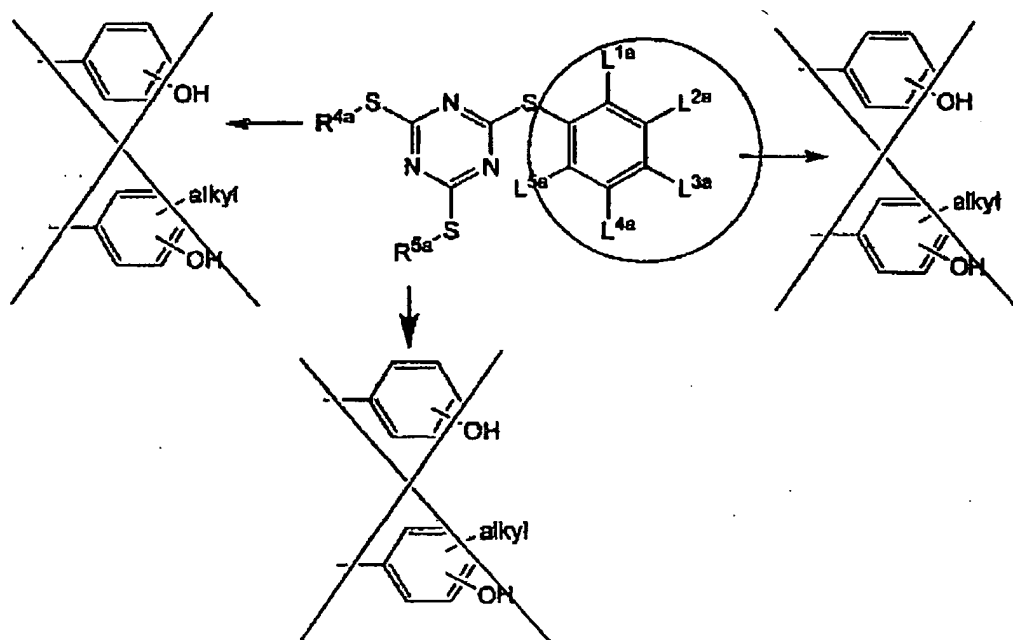
alkylhydroxyphenyl  . Therefore, the compound represented by present formula (1a) is totally different from any compounds disclosed in Dexter.

In formula (2a) of the present invention, two substituents, R^{4a} and R^{5a} , always denote an optionally substituted alkyl group, and they cannot be hydroxyphenyl or alkylhydroxyphenyl. Furthermore, in formula (2a), L^{1a} , L^{2a} , L^{3a} , L^{4a} and L^{5a} respectively denote a hydrogen atom, a halogen atom, an optionally substituted alkyl group, an optionally substituted alkoxy group or an optionally substituted alkylthio group, and they cannot be hydroxy. Therefore, as shown below,

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the compound represented by formula (2a) cannot have hydroxyphenyl or alkylhydroxyphenyl at all, and is totally different from any compounds disclosed in Dexter:



As well as the compound of formula (1a) or (2a), the compound represented by formula (3a), (2b), or (3b) cannot have hydroxyphenyl or alkylhydroxyphenyl at all, and is totally different from any compounds disclosed in Dexter.

Therefore, Applicants submit that the present invention would not have been arrived at even by combining Sugiyama and Dexter.

Second, Dexter does not relate to any optical fiber. Any compounds disclosed in Dexter always have hydroxy (-OH) in R_3 . A compound having hydroxy (-OH) shows an absorption peak in the near-IR region, which is attributed to the vibration of OH. A plastic optical fiber, containing such a compound, would show a large transmission loss due to the absorption

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properties of the compound when being used for transmitting near IR light. Therefore, Applicants believe that no person skilled in the art would have been motivated to modify any plastic optical fiber by using the compounds disclosed in Dexter.

For these reasons, the Examiner is respectfully requested to reconsider and withdraw the section 103 rejection of claims 1-18 based on Sugiyama in view of Dexter.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE

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CUSTOMER NUMBER

Date: February 16, 2010

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